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TOWNSEND and TOWNSEND KHOURIE and CREW

By Kim M. Kaplan

**PATENT**  
Attorney Docket No. 16336-3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of )  
OSBORNE et al. )  
Serial No. 08/217,324 ) Examiner: Not Assigned  
Filed: March 24, 1994 ) Art Unit: Not Assigned  
For: DEVICES AND METHODS FOR )  
IMPLANTING TRANSDUCED )  
CELLS )  
\_\_\_\_\_  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**INFORMATION**  
**DISCLOSURE STATEMENT**

**RECEIVED**

JUN 22 1994

APPLICATION DIVISION

Sir:

Applicants direct the Examiner's attention to the references below, also listed on the accompanying Form PTO-1449. A copy of each is also enclosed.

The following is a foreign patent publication:

AA. WO 90/11734 published October 18, 1990.

The following articles are set forth by the indicated year of publication date:

AB. Stanley et al., "Vascular Grafts", Vascular Surgery Grune & Stratton, Orlando, FL., pp. 365-388, (1986).

AC. Clowes et al., "Mechanisms of Arterial Graft Healing", Am. J. Pathol. 123: 220-230 (May, 1986).

AD. Miller et al., "Redesign of Retrovirus Packaging Cell Lines to Avoid Recombination Leading to Helper Virus Production", Molec. Cell. Biol. 6: 2895-2902 (August, 1986).

AE. Osborne et al., "Design of Vectors for Efficient Expression of Human Purine Nucleoside Phosphorylase in Skin Fibroblasts from Enzyme-Deficient Humans", Proc. Natl. Acad. Sci. USA 85: 6851-6855 (September, 1988).

AF. Miller et al., "Improved Retroviral Vectors for Gene Transfer and Expression", BioTechniques 7: 980-990 (1989).

AG. Wilson et al., "Implantation of Vascular Grafts Lined with Genetically Modified Endothelial Cells", Science 244:1344-1346 (June 16, 1989).

AH. Vo et al., "Venographic Changes Associated with Seeded and Nonseeded Vena Cava Grafting", Vasc. Surg. 22: 393-397 (November/December, 1989).

AI. Miller, "Progress Toward Human Gene Therapy", Blood 76: 271-278 (July 15, 1990).

AJ. Nabel et al., "Site-Specific Gene Expression in Vivo by Direct Gene Transfer into the Arterial Wall", Science 249: 1285-1288 (September 14, 1990).

AK. Adam et al., "Internal Initiation of Translation in Retroviral Vectors Carrying Picornavirus 5' Nontranslated Regions", J. Virol. 65: 4985-4990 (September, 1991).

AL. Lynch et al., "Long-term Expression of Human Adenosine Deaminase in Vascular Smooth Muscle Cells of Rats: A Model for Gene Therapy", Proc. Natl. Acad. Sci. USA 89: 1138-1142 (February, 1992).

AM. Miller, "Human Gene Therapy Comes of Age", Nature 357: 455-460 (June 11, 1992).

It is respectfully requested that the cited information be expressly considered during the prosecution of

this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants believe that their invention as claimed is patentable over the above references taken alone or in any combination. However, Applicants reserve the right to demonstrate that their claimed invention was made prior to any one or more of the above-identified references. No inference should be drawn as to the pertinence of the references based on the order in which they are presented.

Applicants respectfully request that the Examiner review the foregoing references to make his own determination of the patentability of the present invention and that the references be made of record in the file of this application.

This Information Disclosure Statement is being filed within three months of the filing date, and prior to the first Office Action on the merits.

Although no fee is believed to be due, the Commissioner is hereby authorized to charge any fees necessitated by this transmittal to Townsend and Townsend Deposit Account No. 20-1430.

Respectfully submitted,

Date: June 8th, 1994 By: Steven W. Parmelee  
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